

#7  
sp  
12-29-03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney Docket No. 029471/0149**

**Applicant:** Katsuyuki TANAKA

**Title:** SYSTEM AND METHOD FOR MANAGING NETWORK  
CONFIGURATION DATA, COMPUTER PROGRAM FOR SAME

**Serial No.:** 09/840,961

**Filed:** April 25, 2001

**Examiner:** Unknown

**Art Unit:** 2152

**RECEIVED**

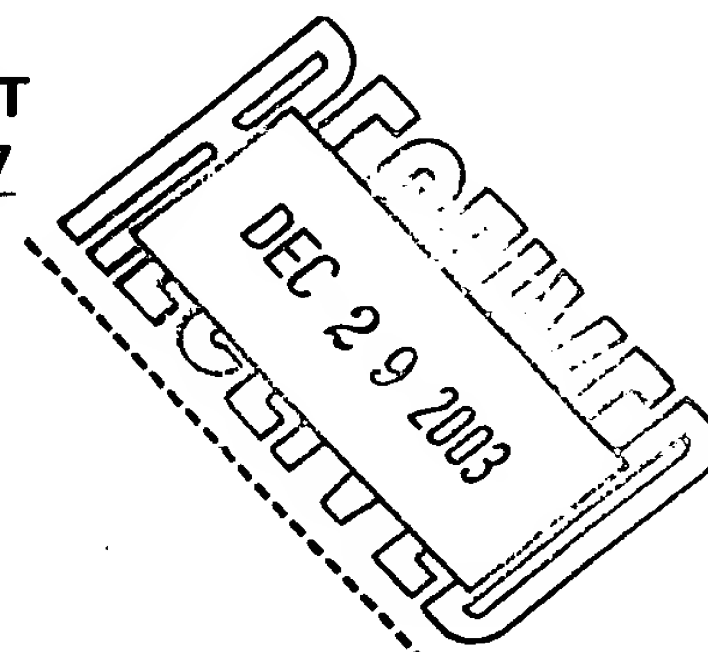
DEC 24 2003

Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:



Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that items of information A2 – A5 listed on the Form PTO SB/08 submitted with this Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Item of information A1 is a U.S. patent that is a counterpart to item of information A5.

**RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Japanese Office Action that issued November 11, 2003 with respect to a counterpart Japanese patent application is provided below.

**"Regarding Reason A**

Cited Literature 1 in Relation to Claim 1  
Comments

Cited Literature 1 describes storing as data the constituent elements that have been subject to a change in configuration up to the present point in time, and generating network structure

information at any given point in time from the current configuration information and the past information.

Cited Literature 1–4, Regarding Claims 2, 8, 9, 40, and 41  
Comments

As is described in Cited Literature 2, there is a description of maintaining, as data, the configuration elements that will be subject to configuration changes in the future even after the present, and creating these as potential configuration information for the said future, and, a structure wherein, in that which is described in Cited Literature 1, generating network structure information at any point in time by maintaining not just past data but future data as well, is seen as that which could be obtained easily by an individual in the industry.

Furthermore, specifying configuration information in a tree structure is nothing more than a well-known means, such as described in Cited Literature 3 and 4 (see the Prior Art Section in Cited Literature 4).

Cited Literature 1–4, Regarding Claim 3  
Comments

Providing a means for updating said information is nothing more than a well-known means.

Cited Literature 1–4, Regarding Claim 4  
Comments

That which is described in Cited Literature 1 maintains differential information.

Cited Literature 1–4, Regarding Claim 5  
Comments

The provision of a memory part is a well-known means.

Cited Literature 1–4, Regarding Claim 6  
Comments

This is a merging of various configuration elements with that which is described in Cited Literature 1 in order to generate configuration information at any given point in time.

Cited Literature 1–4, Regarding Claim 7  
Comments

The storage of past information is described in Cited Literature 1.

Cited Literature 1–4, Regarding Claims 10 and 25  
Comments

That which is described in Cited Literature 1 stores as flags data on additions, changes, and deletions, and, of course, this data will be updated.

Cited Literature 1–4, Regarding Claims 11–13 and 26–28  
Comments

Because the various data on configuration elements are stored in a tree structure and only differential information is stored, clearly there is the need for data that corresponds to the basis for said differential information in the tree structure, and thus adding said information if it does not exist is seen as that which could be obtained easily.

Cited Literature 1–4, Regarding Claims 14–17 and 29–32  
Comments

Updating the existing data is that which is done as appropriate as time passes, and it is only natural that, in order to obtain the information on the present time after changes have been made, the data up until the given point in time would be merged based on the additions, changes, and deletions of the data up until that point.

Cited Literature 1–4, Regarding Claims 18–33  
Comments

That which is described in Cited Literature 1 also merges the required configuration information in order to generate the configuration generation for any given point in time.



Cited Literature 1–4, Regarding Claims 19 and 34  
Comments

That which is described in Cited Literature 1 also describes maintaining data from the past.

Cited Literature 1–4, Regarding Claims 20–24 and 35–39  
Comments

It is only natural that an addition operation in the future direction will be a deletion operation in the past direction, and modifying the addition, change, and deletion information described in Cited Literature 1 as time elapses is that which could be obtained easily.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication H4-38548
2. Japanese Unexamined Patent Application Publication H9-55794
3. Japanese Unexamined Patent Application Publication 2000-3347
4. Japanese Unexamined Patent Application Publication H11-252074."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

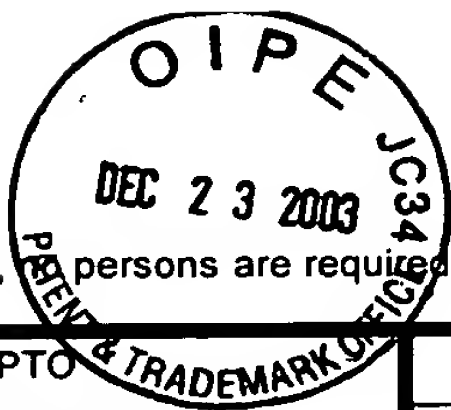
Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

December 23, 2003  
Date

Phillip J. Articola  
Phillip J. Articola  
Registration No. 38,819

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5300  
Facsimile: (202) 672-5399



Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: December 23, 2003

(use as many sheets as necessary)

**Complete if Known**

Application Number	09/840,961
Filing Date	04/25/2001
First Named Inventor	Katsuyuki TANAKA
Group Art Unit	2152
Examiner Name	Unknown
Attorney Docket Number	029471-0149

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	6,282,175		STEELE et al.	08/28/2001	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A2	JP	4-38548			02/07/1992		X
	A3	JP	9-55794			02/25/1997		X
	A4	JP	11-252074			09/17/1999		X
	A5	JP	2000-3347			01/07/2000		X

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.